

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CUTBERTO VIRAMONTES, an individual and resident of Cook County, Illinois, <i>et al.</i> ,)	
)	Case No. 1:21-cv-04595
Plaintiffs,)	
)	Judge: Rebecca R. Pallmeyer
vs.)	
)	Magistrate Judge: Susan E. Cox
THE COUNTY OF COOK, a body politic and corporate, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION OF THE CHICAGO BOARD OF RABBIS
FOR LEAVE TO FILE BRIEF AS *AMICUS CURIAE INSTANTER***

The Chicago Board of Rabbis (“Board”) hereby respectfully submits this Motion for Leave to File a Brief as *Amicus Curiae Instanter* in support of Defendants’ Motion for Summary Judgment Pursuant to Fed. R. Civ. P. 56 (“Motion”). The Board’s proffered brief, titled Brief of *Amicus Curiae* Chicago Board of Rabbis in Support of Defendants’ Motion for Summary Judgment, is attached as Exhibit A. Defendants consent to this Motion. The Board has conferred with Plaintiffs’ counsel who do not oppose this Motion.

Interest of *Amicus Curiae*

1. The Board is comprised of over 180 rabbis in Chicagoland, representing the Conservative, Orthodox, Reconstructionist, Reform, and Humanistic streams of Jewish life. Its members are community leaders in synagogues, schools, and community centers.

2. The Board works to enhance the interest of *k’lal Yisrael* (the Jewish people) in the Chicagoland area and beyond. Specifically and in relevant part, the Board fosters united action among Rabbis, interprets the role of the Rabbi as the guide to his or her people and a guardian of the religious interests of Chicago Jewry, and promotes Jewish living and learning.

3. The Board's members and their congregants, students, and communities are at risk of hateful, violent, and deadly antisemitic attacks. The legalization and proliferation of assault weapons currently prohibited under the Blair Holt Assault Weapon Ban, Code of Ordinances of Cook Cty., Ill. §§ 54-210 *et seq.*, (the "Ordinance") would increase the risks of gun violence for Cook County's Jewish community.

4. Plaintiffs challenge the Ordinance under the Second Amendment of the United States Constitution.

5. Accordingly, the Board's interest in protecting the Jewish people of Cook County and their places of gathering and worship will be substantially affected by the outcome of this litigation. The Board seeks leave to file this *amicus* brief to bring these concerns to the Court's attention.

The Board's Brief will Aid the Court

6. "[W]hether to allow the participation of an *amicus curiae* is firmly within the discretion of the district court." *Aliano v. Quaker Oats Co.*, No. 16 C 3087, 2017 WL 56638, at *4 (N.D. Ill. Jan. 4, 2017) (Pallmeyer, J.) (quoting *Adams v. City of Chi.*, No. 94 C 5727, 1995 WL 491496, at *1 (N.D. Ill. Aug. 11, 1995)).

7. A Court should accept an *amicus* brief when the submission "will assist the judge[] by presenting ideas, arguments, theories, insights, facts, or data that are not found in the briefs of the parties." *Prairie Rivers Network v. Dynegy Midwest Generation, LLC*, 976 F.3d 761, 763 (7th Cir. 2020) (Scudder, J., in chambers) (citing *Practitioner's Handbook for Appeals to the United States Court of Appeals for the Seventh Circuit*, XXII.B "Amicus Briefs" (2020 ed.)). A friend of the Court can help by, for example, "[p]roviding practical perspectives on the

consequences of potential outcomes” or “[h]ighlighting factual, historical, or legal nuance.”
Id. at 763.

8. The Board offers a unique perspective, relevant experience and context, and analysis of how the Court’s ruling may impact the safety and security of Jewish people and the free exercise of the Jewish religion in Cook County. Moreover, the Board’s brief highlights historical nuances and legal arguments that will aid the Court’s analysis. The Parties do not otherwise present these issues. Thus, the Court would benefit from considering the attached brief.

CONCLUSION

For these reasons, the Board respectfully requests that the Court grant its Motion.

Respectfully submitted,

/s/ Brienne M. Letourneau

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